

Judicial Administration Committee
Judicial Conference of Indiana

Minutes
January 13, 2006

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, January 13, 2006 from 10:00 a.m. – 2:20 p.m.

1. Members present. Thomas P. Boyer, Edward A. Campbell, Daniel F. Donahue, Jeffery J. Dywan, James R. Heuer, Karen M. Love, Tanya Walton Pratt, Michael A. Shurn and Judith S. Proffitt, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Ron L. Miller, Director, Trial Court Management, and Kris Suthers, Systems Analyst, Division of State Court Administration.
4. Minutes approved. The minutes for the committee on October 14, 2005 were approved.
5. Weighted caseload.
 - a. Ron Miller reviewed a handout with members of the committee. It was a compilation of weighted caseload numbers for all cases with recent average bench and trial disposition rates reported to the Division of State Court Administration. He noted the bench and jury trial rates for murder make a significant total time difference. However, there are no new jury and bench trial times. Committee members discussed collection of jury trial times based on court recording equipment, which measures times in court.
 - b. Committee members discussed whether changing the numbers would be seen as “tampering” with the system and therefore losing credibility, how data in capital cases should be collected, whether the data collection instrument for the study should be different in civil, criminal and family/juvenile law cases, and whether to start a completely new study of all the case types.
 - c.
 - (1) Ron Miller agreed to prepare a survey for courts to determine weighted caseload data, which may be gathered electronically for the next meeting.
 - (2) Ron Miller agreed to summarize the National Center for State Courts Guide To Statistical Reporting for the next meeting.
 - (3) Committee members agreed the chair should contact the Chief Justice to update him on the work of the committee.
 - (4) Committee members agreed to ask judges in their county about difficult areas in weighted caseload measures, which need review.
 - (5) Jeffrey Bercovitz agreed to look for sources of grant funding.

6. Deskbook for judges to manage *pro se* litigation.
 - a. Committee members reviewed mortgage foreclosure and debt collection case and procedure materials from Judge Horn.
 - b. The following items are due at the next meeting:
 - (1) Small claims section from Judge Love;
 - (2) Family member seeking guardianship *pro se* and insurance company setting up a guardianship for a minor settlement from Judge Snow; and
 - (3) Adoption - recent past records inquiries, genealogy from Judge Welch

See Attachment No. 1 for committee member assignments.

7. Next meeting: The committee agreed to hold future meetings on the following dates: Friday, February 10, March 10, May 12, June 9, July 14, August 11, and October 13, 2006 all from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law

**Assignments: Benchbook for Judicial Officers:
Administration Of Cases With Pro Se Litigants**

Introduction

Completed 8/13/04 Introduction/General considerations J. Proffitt, Chair

Civil

Completed 2/11/05 (1) Domestic Relations J. Eldred and J. Willis
Initial dissolution, post-dissolution matters,
letters and third-party correspondence, Final hearing,
custody, change of residence, parenting time, other

(2) Small claims J. Love

Completed 1/13/06 (3) Mortgage foreclosure/debt collection J. Horn

(4) Mental Health

Family member seeking guardianships – *pro se* J. Snow
Ins. Co. sets up guardianship for minor settlement J. Snow

Completed 7/08/05 Civil commitments generally J. Donahue

Completed 3/11/05 (5) Paternity, probate J. Shurn

(6) General civil

Completed 2/11/05 Refer to forms on Self-Service Website Committee

Revised 8/12/05 Request for Appt. of Pauper Attney. In Civil Action Mag. Boyer

Revised 8/12/05 Dialogue for Request For Appt. of Counsel In Mag. Boyer
Civil Action

Revised 8/12/05 Incarcerated Pro Se Litigants In Civil Action Mag. Boyer
Case Discussion

Completed 7/08/05 Inquiry/Advice Regarding Self-Representation J. Donahue

BMV – lost title, hardship license J. Welch

Drafted 2/11/05 Adoption – recent past records inquiries, genealogy J. Welch

Completed 8/12/05 (7) Contempt
Rule To Show Cause Hearing If Indigent Mag. Boyer
Dialogue For Rule to Show Cause Hearing Mag. Boyer
If Indigent

Criminal

(1) Misdemeanor, D Felony *pro se* representation Judge _____
Pro se jury trial, dialogues, other

	(2)	<u>Prisoner/Inmate litigation</u>	J. Pratt
<i>Revised 10/14/05</i>		Inmate as civil litigant – transportation, access to legal materials, tort claims; civil rights claims, name changes, paternity, dissolution; criminal claims: PCR's, credit time, modification, expungement; and extradition requests	
<i>Completed 8/12/05</i>		Ind. Code 34-58-1 Screening of Offender Litigation Checklist New Paternity Cases	
"		Notice to Incarcerated Petitioners - Paternity	
"		Order To DOC For Report Of Defendant's Conduct While Incarcerated	
"		Order Appointing State Public Defender	
"		Denial of Request For Modification of Sentence Under Ind. Code 35-38-1-17 (a)	
"		Denial of Request For Modification of Sentence Under Ind. Code 35-38-1-17 (b)	
"		Order Dismissing Petition For Post Conviction Relief	
"		Order Setting Pro Se PCR Hearing	
"		Order Setting Hearing On Petition And Modification Of Sentence and Order To Transport	
"		Order Granting Expungement of Arrest Record Under Ind. Code 35-38-5 <i>et. seq.</i>	
	(3)	<u>Clerk chapter</u>	J. Proffitt
<i>Submitted 7/08/05</i>		Information For <i>Pro Se</i> Litigants Concerning Dissolution of Marriage Action	J. Proffitt
<i>Completed 7/08/05</i>		Notice to <i>pro se</i> litigants on service	J. Horn